

Eastern Idaho Technical College
Alexander Creek Building, Room 523
Idaho Falls, Idaho
April 14, 1999
1:30 - 5:00 p.m.

Meeting Agenda

1. Minutes of February 17, 1999 Meeting (**Item 1**)
2. Follow-up Report of March 18-19 Board Meeting
3. Education and the Juvenile Justice Education System, Brent Reinke, Director, Department of Juvenile Corrections.
4. Academic Core Requirements for AAS Degree
 - Accessibility
5. Policy and Rule Changes
 - 70% Committee Bylaws Revision – second reading (**Item 2**)
 - IDAPA 55 – Division of Professional-Technical Education – first reading (**Item 3**)
6. Carl Perkins Act Idaho State Plan (**Item 4**)
7. Legislative Update
 - Name Change
8. Minority Education Report
9. Cooperative Service Agreements for Professional Technical Schools (on file at the Division of Vocational Education)
 - Gateway Professional Technical Cooperative Service Agreement (**Item 5**)
 - Eastern Idaho Vocational Cooperative Service Agreement (**Item 6**)
10. Next Meeting – June 16, 1999

Item 1

**State Board of Education
70% Committee
February 17, 1999**

UNAPPROVED MEETING MINUTES

Members Present

Steve Casey
Ann Stephens
Jesus De Leon
Ranaye Marsh
Miles LaRowe
Karen Fraley
Barry Thompson (for Pat Young)

Marilyn Howard
Larry Barnhardt
Shirley Spencer
Mike Hostetler
Mike Glenn
Bob Sobotta (for Dianne Allen)
Ranelle Nabring (for Chuck Mollerup)

Committee Board Members

Carole McWilliam, Chair
Judy Meyer, Tom Boyd

Committee Staff

Mike Rush
Sara Adams

Others Present

Tom Farley
Robert Young
Mike Falconer

Hector De Leon
DeVere Burton
John Jensen

Members Absent

Greg Fitch
Senator Andreason

- I. State Plan for Perkins III Legislation -- Ann Stephens and DeVere Burton presented a report on the Idaho's State Plan for distributing the Perkins III federal funds. Committee members were invited to make comments and suggestions and forward them to the State Division of Vocational Education by March 15. Members were also encouraged to attend the public hearings. The public hearings on the law will be held March 15 via the telecommunications network.
- II. November Meeting Minutes -
 - A. **MOTION made by Karen Fraley, seconded by Mike Hostetler and carried to approve the November meeting minutes.**
- III. Policy and Rule Changes
 - A. Modification of 70% Committee Bylaws - Mike Rush noted that several minor modifications have been made based on discussion at the last meeting and additional input from Committee members. Carole McWilliam called for discussion concerning the bylaws.
 1. delete "others" under item B

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2. on page 10 item 8, add reference to “vocational rehabilitation clients” as a targeted population
 3. on the point of voting, it was noted that the Board members appointed to the committee are the actual “voting” members. The other appointed members of the 70% Committee discuss the issues and provide the Board members with information. The other appointed members do have an advisory vote or may be asked for consensus.
 4. under item “b” change to Hispanic “Education Task Force” representative
 5. **BOARD MOTION: It was moved by Judy Meyer, seconded by Tom Boyd, and carried to approve the modifications including deleting “others” under item b, adding a reference to “vocational rehabilitation clients” as a targeted population under c, and changing the wording under b to say “Hispanic Education Task Force representative, to the Idaho State Board of Education Governing Policies and Procedures Bylaws Section, Subsection H, Committees of Board, Item 4, 70% Committee.**
- B. Modification of IDAPA 08.02.02.070.03 related to Certification. Mike Rush reviewed the purpose of this modification proposal. He noted that Kevin Satterlee, the Deputy Attorney for the State Board of Education reviewed the modification and also helped to draft the language. Carole McWilliam called for discussion.
1. Tom Farley asked how duly-enrolled students will be affected by this. Mike Rush explained that this rule focuses on instructors and not students. It will bring consistency between vocational and academic instructors at the postsecondary level. Inconsistencies will remain for the secondary level instructors.
 2. Steve Casey expressed concern about the impact the rule has on incentive for postsecondary vocational-technical instructors to come onto the secondary campus because of the fingerprinting requirement.
 3. The advent of professional technical schools may affect the situation.
 4. Mike Rush pointed out that this rule revision is not about fingerprinting, it is about certification. In approving it the Board still has the latitude to go ahead at a future date and focus on the finger printing issue.
 5. **BOARD MOTION: It was moved by Tom Boyd, seconded by Judy Meyer, and carried to approve the proposed changes to IDAPA 08.02.02.070.03 Certification Standards for Vocational-Technical Educators Rule as written and promulgate the rule as a proposed rule.**
- C. IDAPA Rules for the Division of Vocational Education -- Mike Rush handed out copies of a draft revision of IDAPA 55 which are the rules of the Division of Vocational Education. The Division needs to update their rules, but because the cost of doing a line-by-line, page-by-page revision is prohibitive, it has chosen to repeal all of the current rules and write new ones.
- D. **ACTION: The Committee members will review the draft rules of the Division of Vocational Education and get comments to Mike Rush by March 15. The comments will be incorporated into the final rule draft which will go to reading at the April Board meeting.**
- E. **ACTION: Mike Rush will put the rule draft on the Web page for review.**
- IV. Minority Education Budget Recommendations - Jesus De Leon reviewed the budget

recommendations noting that the Home School Liaison Project has been pulled from this agenda. It will go to the Hispanic Task Force for further consideration. He distributed an updated document.

- A. Pre-Service and In-Service Multi-Cultural Education -- the amount recommended is \$1.2 million.
 1. Carole McWilliam asked that a firm definition of "multi-cultural" be developed.
 2. Jesus defined multi-cultural as the instruction that impacts children to make them more proficient and help them to move through the system more successfully. He also said that there are 52 different languages spoken in the state of Idaho. Look at operational systems to assure greater success.
 3. Robert Young said that through the community needs assessment done last fall around the Fort Hall Indian Reservation a large percentage of respondents said "no" to the question that the districts provide adequate inservice to teachers on multi-cultural (Indian cultural) education. This hard data shows this issue does need to be addressed.
 4. The amount requested was arrived at with input from the Teacher Education departments (Deans of the Colleges of Education).
 5. Judy Meyer said it is important to be sure this request isn't duplicated elsewhere. Jesus De Leon responded that this request is for both pre-service and inservice education. It is not a one-time cost, but the amount should not be as great in the coming years.
 6. Hector De Leon noted that the budget recommendation is presented today to fit in with the Board's time line. There will be further discussion in the future as the Hispanic Education TF continues to meet with the Deans of Education.
 7. **BOARD MOTION: It was moved by Tom Boyd, seconded by Judy Meyer and approved that the SBOE include for consideration the proposed \$1.2 million budget recommendation for Pre-Service and In-Service Multi-Cultural Education in their FY 2001 budget request.**
 8. **ACTION: Mike Rush will work with Jesus to refine the language on the recommendation (in terms of the definition of "multi-cultural")**
- B. Grow Your Own Teacher Program Budget Recommendation -- Jesus De Leon reviewed this recommendation which will help the universities train bilingual/ESL teachers using a career ladder approach that recruits teacher aids. It was pointed out that the correct amount of the recommendation is \$350,000.
 1. John Jensen of BSU spoke in support of recruiting aides and assisting them to further their education so that they can become teachers. He noted there had been an initial effort in the 1970's and many of those who moved through the first wave are still involved in bilingual education in Idaho.
 2. Karen Fraley asked the recommendation be changed to better reflect that minorities are being targeted to move into the bilingual/ESL program. Amend to say "increasing minority representation".
 3. Carole McWilliam suggested involving Kevin Satterlee to assure that the wording is legal. She then noted that while the wording needs work, the intent of the recommendation is very clear.
 4. Bob Sobotta spoke about the success of other such programs and voiced his

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- support of the intent of the recommendation.
 - 5. Mike Hostetler recommended that the Jesus De Leon change the language, but keep the intent.
 - 6. Mike Glenn said that perhaps the notion that the requirement of a BA degree is not applicable. What about a para-professional level occupation that prepares aides for the classroom?
 - 7. **BOARD MOTION: It was moved by Judy Meyer, seconded by Tom Boyd, and approved that the SBOE include for consideration the proposed \$350,000 budget recommendation for the Grow-Your-Own Teacher Program in their FY2001 budget request.**
 - V. Cooperative Service Agency Agreements for the Professional Technical Schools - Carole McWilliam introduced the topic. Kevin Satterlee said that he had reviewed the three agreements on the agenda and saw no problems with any of them.
 - A. DeVere Burton noted that HB 510 requires a "separate" site for professional technical schools and that a cooperative service agency can meet that requirement.
 - B. **BOARD MOTION: It was moved by Judy Meyer, seconded by Tom Boyd, and carried to approve the Eastern Idaho Vocational Cooperative Service Agency agreement.**
 - C. **BOARD MOTION: It was moved by Tom Boyd, seconded by Judy Meyer, and carried to approve the Magic Valley Cooperative School Service Agency agreement.**
 - D. **BOARD MOTION: It was moved Judy Meyer, seconded by Tom Boyd, and carried to approve the Gateway Cooperative School Service Agency agreement (Note: Carole McWilliam did not participate in the voting as the Gateway Cooperative School Service Agency is in her school district).**
 - VI. Scholarships - Kevin Satterlee said the Board at their November meeting wanted to look at scholarships for minority students. He pointed out that before a government entity can target funds, it must demonstrate there is a problem created by past government action and how that specific problem will be remedied through targeting the funds. Even then, minority status can only be one of several factors in awarding scholarships.
 - A. **ACTION: Mike Rush will pull together a subcommittee to identify data that specifically define the problem and solutions that will meet constitutional muster.**
 - B. Tom Farley said there is a bill going through the Legislature now to address the scholarship issue. This committee will want to keep an eye on that.
 - C. Jesus De Leon said the Hispanic Education Task Force is willing to look at the issue to help find solutions.
 - D. Kevin Satterlee said the State of Idaho has a scholarship program in place that includes minority status as a factor and meets the legal requirements.
 - VII. ABE Federal Plan -- Shirley Spencer presented information on the Adult Education and Family Literacy Act as amended by the Workforce Investment Act of 1998 (P.L. 105-220). She emphasized the need for coordination among the various aspects of the Workforce Investment Act and Perkins III. She distributed a draft of the Idaho Adult Basic Education Five Year State Plan and asked the committee members to give her feedback or comments by March 15.
 - VIII. Academic Core Requirements for AAS Degree -- Mike Rush said that the Technical College

Leadership Council has had ongoing discussions on this issue. The SBOE has asked for two things. First upgrading standards for AAS degree and second creating transferability for the degrees. The technical college system is struggling with the issue of how to implement the new standards in a way that truly improves student success.

- A. Judy Meyer said that input from Mike Rush, Robin Dodson, and others will help the Board resolve the problem.
- B. Carole McWilliam noted that there are inconsistencies and without knowing the total problem there is no way to successfully resolve the issue. The Board needs to help with defining the problem.
- C. Mike Glenn said the problem is operational and philosophical. The definition of general education differs depending on the institution and the faculty.
- D. DeVere Burton noted that the academic advisory council tried to define the core. The provosts seemed to agree that core meant the institution's core. That decision creates problems for transfer within the technical college system. DeVere also noted that a policy is moving through the Board from Academic Affairs on this very thing.
- E. **ACTION: Put this item on the agenda for the first topic of discussion next time. Include a written report with time lines and printing of catalogs. Mike Rush will visit with Robin Dodson about this.**

IX. Juvenile Justice Education System -- Ann Stephens noted this was a topic for discussion and suggested inviting someone from Corrections to speak to the issues at the April meeting..

- A. **ACTION: This item will be on the April agenda. It will include a report of the funding issues.**
- B. Barry Thompson noted that Voc Rehab has been having discussions with Juvenile Justice. This population is difficult to work with because most of them have developmental problems.
- C. Robert Young said he would be interested in the costs of keeping a student in St. Anthony's versus keeping him in school.
- D. **ACTION: Check with Dr. Howard on the issue of attendance and students being denied enrollment in school due to absences.**

X. Accessability Issues relates to Academic Core. This item was postponed and will be included on the next agenda along with the Academic Core discussion.

- A. **ACTION: This item will be on the April agenda as part of the Academic Core discussion.**

XI. Next Meeting -- April 14 in Idaho Falls (time to be set).

XII. Meeting adjourned at 4:15 p.m.

Policy and Rule Changes

Item 2

Subject:

Modification of 70% Committee Bylaws -- second reading (first reading was at the February 17th 70% Committee meeting, with a vote of approval by the Board at their March 19th meeting)

BACKGROUND:

The bylaws of the 70% Committee were originally developed and approved in September of 1996.

DISCUSSION:

The committee membership and interested parties lists were created with the idea that representation and participation would be broad. There is a recognition now that in specifically listing interested parties the list is exclusive rather than inclusive. Also, the membership list needs to be updated to avoid duplication and omission.

RECOMMENDATIONS:

The staff recommendation is to accept the modifications to the 70% Committee Bylaws so that they are current.

COMMITTEE ACTION:

It was moved by _____ and carried to approve/disapprove the modifications to the Idaho State Board of Education Governing Policies and Procedures Bylaws Section, Subsection H, Committees of Board, Item 4, 70% Committee.

BOARD ACTION:

It was moved by _____ and carried to approve/disapprove the modifications to the Idaho State Board of Education Governing Policies and Procedures Bylaws Section, Subsection H, Committees of Board, Item 4, 70% Committee.

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: BYLAWS,
Subsection: (H) Committees of the Board

February 17, 1999

April 17-18, 1997

4. 70 Percent Committee

a. Purpose

The 70 Percent Committee is a standing committee of the Board. The committee will study issues and make recommendations to the Board relating to the needs of students who are not seeking baccalaureate or advanced degrees. Additionally, the committee will:

- (1) Address career, technical and adult education issues.
- (2) Establish and review accountability measures and standards pertinent to applied technology education, industry training, tech prep, work-based learning, school-to-work, and vocational education programs.
- (3) Address programmatic issues of at-risk populations including academic skills development, work-based literacy, dislocated worker training and displaced homemaker services, and people with disabilities.
- (4) Coordination with K-12 (remedial education, career planning, GED preparation).
- (5) Address Hispanic and Native American education issues.
- (6) Address career guidance/career pathways, career development education issues (guidance model, career path planner, etc.) development needs of students (comprehensive guidance programs, delivery of career information, etc.).
- (7) Address short-term training issues (Workforce Training Network).
- (8) Address evaluation and transferability of credits in career related programs to advanced degrees and among applied technical institutions.
- (9) Coordinate workforce training with the Governor's Workforce Development Council (council to be appointed in fall, 1996).
- (10) Review and develop policies pertaining to the Community/Technical College function.

b. Composition

The 70 Percent Committee is composed of two (2) or more members of the Board, appointed by the president of the Board, who shall designate the chair(s) of the committee. Representatives from institutions, agencies, and other groups will be non-voting members of the committee. The non-voting members are:

~~State Board members~~

Community College Presidents or designees (Applied Tech)

President, EITC

Applied Tech representatives of the four-year institutions (BSU, ISU, LCSC)

School-to-Work representative

Department of Education representative

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: BYLAWS,
Subsection: (H) Committees of the Board

February 17, 1999
April 17-18, 1997

OSBOE Staff Member
SDVE Staff Member
Native American ~~r~~Representative from the Five Tribes in Idaho
Hispanic Education Task Force representative
High School Principal
Career Information Systems Officer
Adult Education representative
Vocational Rehabilitation representative
Legislator(s)
~~Other(s)~~
Staffed by SDVE and coordinated with Executive Director of State Board of Education

- ~~—— Others invited to attend:~~
- ~~—— Governor's Office representative~~
- ~~—— Legislators~~
- ~~—— Workforce Training Network representatives~~
- ~~—— State Occupational Information Coordinating Committee/Career Information Systems Director~~
- ~~—— Targeted population groups with special educational issues including:~~
- ~~—— Hispanic and Native American representatives~~
- ~~—— State Adult Basic Education Coordinator and Learning Center Directors~~
- ~~—— Regional Tech Prep, School-to-Work, Vocational Education Coordinators~~
- ~~—— Economic Development representatives~~
- ~~—— Local labor market analysts~~
- ~~—— Industry representatives~~
- ~~—— Technical committee (industry) representative~~
- ~~—— Public service emergency response representatives (Fire Chiefs Association, HazMat regional team representatives, Health and Welfare/Emergency Medical Technical representatives, etc.)~~
- ~~—— Departments of Correction/Juvenile Justice~~
- ~~—— Others~~

c. Responsibilities and Procedures

The 70 Percent Committee is responsible for making recommendations to the Board in the following general areas:

- (1) Recommend to the Board improvements in the current system of education for postsecondary students not attending a college or university
- (2) Applied Technical Education Programs including certificate and Associate of Applied Science degree programs
- (3) Career guidance initiatives and programs /career pathways/career information system.
- (4) Tech Prep

(5) School-to-Work
Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: BYLAWS,
Subsection: (H) Committees of the Board

February 17, 1999
April 17-18, 1997

- (6) Statewide Programs (e.g. Farm Management; Emergency Services Training; Apprenticeship; Customized Training)
- (7) Workforce Training Network (short-term training)
- (8) Targeted programs for at-risk populations
 - Unprepared/Underprepared Adults (Centers for New Directions/Displaced Homemaker Center Services; Workplace Literacy, Academic Skills Development; Adult Basic Education; Vocational Rehabilitation clients)
- (9) Outreach to secondary schools
- (10) Outreach instruction
- (11) Review Vocational Student Organization activities and issues
- (12) Review professional development issues and activities (summer conference; technical assistance, etc.)
- (13) Targeted educational issues: alternative schools, Hispanic and Native American education, correction education, juvenile justice system
- (14) Career Information System

Policy and Rule Changes**(Item 3)****Subject:**

IDAPA 55 - Proposed New Rules of the Division of Professional-Technical Education -- first reading

BACKGROUND:

The existing Administrative Rules of the Division of Vocational Education (IDAPA 55) will be repealed and replaced with the proposed new rules. Due to their length, IDAPA 55 may be viewed on the Internet at:

<http://www2.state.id.us/adm/adminrules/rules/idapa55/55index.htm>

DISCUSSION:

The existing Administrative Rules of the Division of Vocational Education (IDAPA 55) were originally compiled in the late 1970's and early 1980's using existing policies and procedures. Several other rules have been added over time to reflect federal legislation requirements that no longer apply. As a result, the majority of the existing IDAPA 55 rules include unnecessary and outdated information.

Based on the recommendation of the Board's attorney as a cost-savings approach, rather than amend the current rules, they will be repealed and new rules written to replace them. While repealing the existing rules eliminates outdated and unnecessary information, the Division has in place policies and guidelines which define the operation and requirements of all the programs and services under its direction. These policies are routinely amended to assure that they remain current and applicable to new or ongoing initiatives, mandates, and regulations. Repealing the existing rules will in no way interfere with the administration of vocational-technical education in Idaho.

The new proposed rules will also reflect the Senate Bill 1246 AA that mandates the name change of the Division of Vocational Education to the Division of Professional-Technical Education and the State Board for Vocational Education to the State Board for Professional-Technical Education.

RECOMMENDATIONS:

The staff recommendation is to approve the new proposed IDAPA 55 as presented.

COMMITTEE ACTION:

To agree by consensus to approve/disapprove the staff recommendation of new proposed IDAPA 55, Administrative Rules of the Division of Professional-Technical Education.

BOARD ACTION:

It was moved by _____ and carried to approve/disapprove the proposed IDAPA 55 Administrative Rules of the Division of Professional-Technical Education as written and promulgate as a temporary and proposed new rule.

IDAPA 55 DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION
TITLE 01
CHAPTER 01 - ADMINISTRATION

000. LEGAL AUTHORITY. The State Board of Education is designated as the State Board for Professional-Technical Education and is responsible to execute the laws of the state of Idaho relative to vocational education, administer state and federal funds, and through the administrator of the State Division of Professional-Technical Education, coordinate all efforts in professional-technical education (Idaho Code 33-2202 through 33-2212).

001. TITLE AND SCOPE. These rules serve the administration of Professional-Technical Education in Idaho and define the duties of the State Division of Professional-Technical Education.

002. WRITTEN INTERPRETATIONS. Written interpretations of these rules, if any, are on file at the office of the State Division of Professional-Technical Education.

003. ADMINISTRATIVE APPEALS. All appeals under these rules shall be conducted pursuant to the procedures set forth by the State Board of Professional-Technical Education.

004. DEFINITIONS. Professional-technical education is generally defined as secondary, postsecondary and adult courses, programs, training and services for occupations or careers that require other than a baccalaureate, master's or doctoral degree. The courses, programs, training and services include, but are not limited to, vocational, technical and applied technology education. They are delivered through the professional-technical delivery system of public secondary and postsecondary schools and colleges.

005. - 099. (Reserved)

100. STATEMENT OF PURPOSE. The mission of Professional-Technical Education is to provide Idaho's youth and adults with the technical skills, knowledge and attitudes necessary for successful performance in a globally competitive work place. The Division of Professional-Technical Education serves as an administrative arm of the State Board for Professional-Technical Education. The State Board appoints a person to serve as the state administrator. Staff are provided to assist the state administrator in conducting the functions of the Division.

101. POLICIES, PROCEDURES AND GUIDELINES. The State Board for Professional-Technical Education designates the State Division of Professional-Technical Education to develop, establish and disseminate policies, procedures, and guidelines for the purpose of administering professional-technical education in the state.

102. BASIC FUNCTION. The State Division of Professional-Technical Education will provide statewide leadership and coordination for professional-technical education; assist local educational agencies in program planning, development, and evaluation; promote the availability and accessibility of professional-technical education; prepare annual and long-range state plans; prepare an annual budget to present to the State Board and the legislature; provide a state finance and accountability system for professional-technical

education; administer and deliver Emergency Services Training; evaluate professional-technical education programs; initiate research, curriculum development and personnel development activities; collect, analyze, evaluate, and disseminate data and program information; administer programs in accordance with state and federal legislation; provide support and leadership for professional-technical student organizations; provide liaison with related agencies, officials, and organizations.

103. PROFESSIONAL-TECHNICAL FACULTY. Rules in IDAPA 55.01 et.seq., shall apply to professional-technical faculty at all institutions. In the case of conflict between IDAPA 08.01.02., Personnel and IDAPA 55.01 et.seq., IDAPA 55.01 et.seq., shall control and be given priority.

104. TENURE. Professional-technical faculty, see the State Board of Professional-Technical Education Policies and Procedures, Section VII, Subsection B.1, Non-Tenure Track Policy.

105 - 999 (reserved)

IDAPA 55 DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION
TITLE 01
CHAPTER 02 - POSTSECONDARY PROGRAM REDUCTION OR TERMINATION

000. LEGAL AUTHORITY. The State Board of Education is designated as the State Board for Professional-Technical Education and is responsible to execute the laws of the state of Idaho relative to vocational education, administer state and federal funds, and through the administrator of the State Division of Professional-Technical Education, coordinate all efforts in professional-technical education (Idaho Code 33-2202 through 33-2212).

001. TITLE AND SCOPE. These rules serve the administration of Professional-Technical Education in Idaho and define the duties of the State Division of Professional-Technical Education.

002. WRITTEN INTERPRETATIONS. Written interpretations of these rules, if any, are on file at the office of the State Division of Professional-Technical Education.

003. ADMINISTRATIVE APPEALS. All appeals under these rules shall be conducted pursuant to the procedures set forth by the State Board of Professional-Technical Education.

004. DEFINITIONS.

- 01. ICPS - Idaho Classified Personnel System.
- 02. SDPTE - State Division of Professional-Technical Education.
- 03. SBPTE - State Board for Professional-Technical Education.
- 04. Institution. One of the six postsecondary technical colleges.

005. - 099. (Reserved)

100. STATEMENT OF PURPOSE. The Idaho State Board of Professional-Technical Education sets forth the following conditions and procedures for the reduction or termination of postsecondary professional-technical programs. This rule specifically applies to reductions or terminations in postsecondary professional-technical education programs and to the extent there is a conflict between these rules and the Administrative Rules of the Board of Education IDAPA 08.01.02. Personnel, these rules supersede and shall be given priority over said Administrative Rules of the State Board of Education.

101. CONDITIONS FOR REDUCTION OR TERMINATION. Any postsecondary professional-technical education program is subject to reduction or termination when the SBPTE finds that one or more of the following conditions exist:

- 01. Inadequate Job Opportunities. Adequate job opportunities no longer exist in the occupation of which the training is provided (as exhibited by local, regional and statewide employment data) to justify continued operation of a program at its current level.
- 02. Inadequate Student Enrollment. Student enrollment is below an acceptable standard for two consecutive years. (Standard to be predetermined at the local level based on facilities requirements, equipment needs, and an acceptable student/teacher ratio.) Seventy-five percent (75%) of capacity is considered a generally acceptable standard.
- 03. Inadequate Job Placement. Job placement in the occupation for which training is provided is

below seventy-five percent (75%) of completers available for employment for two (2) consecutive years. Job placement will be assessed through statewide follow-up system.

04. Inadequate Completion Rate. For two (2) consecutive years, Associate of Applied Science degree programs/options and certificate programs/options have less than a fifty percent (50%) completion rate.

05. Inadequate Need Based on Assessment. Current statewide Needs Assessment/Strategic Plan places reduced emphasis on training in the occupation for which the program prepares students.

06. Inadequate Finances. A condition of financial exigency as determined by the SBPTE prevents the continuation of a quality program at its current level of operation.

102. PROCEDURES. The following procedures will govern the reduction or termination of postsecondary professional-technical programs:

01. Notice of Initiation. Formal notice of initiation of program review proceedings will be provided to the institution's president/designee by the SDPTE; or when the proceedings are initiated by the institution, the institution's president/designee will notify the SDPTE.

02. Official Documentation. Official documentation that one or more of the conditions stated in 101 exists. This documentation will be compiled through the joint efforts of the institution and the SDPTE.

03. Official Recommendation. Official recommendation for program reduction or termination will be presented by the SDPTE to the SBPTE for final action.

04. Notification of Employees. The postsecondary institution will notify the employees affected by the program reduction or termination of the SBPTE's action.

05. Vacated Positions. The vacated position(s) will remain with the postsecondary institution if appropriate reallocation is justified to the SBPTE. Positions left vacated more than twelve (12) months are subject to reallocation within the professional-technical college system or elimination.

06. Transfer of Programs. Upon written request by the postsecondary institution, assessment will be made by the SDPTE to determine the feasibility of transferring the program, position(s), equipment, etc., affected by the reduction or termination to another postsecondary institution.

103. EFFECTIVE DATE. The actual program reduction or termination will take place upon completion of the school year in which the reduction or termination was approved, or upon completion of the program by students enrolled in the program, whichever is later, unless provision can be made for transfer of such students to a mutually acceptable program.

104 -199 (reserved)

200. REDUCTIONS IN FORCE. The institution, after consultation with professional-technical faculty, professional staff, and classified personnel, must prepare and recommend to the SDPTE a plan consisting of various alternatives to implement program reduction or termination and staff reduction procedures. When developing this plan, consideration must be given to the necessity and manner of reducing the employment force and the criteria for identifying the employees who are to be laid off. The SDPTE must consider and approve a program to implement its decision prior to the effective date of any layoffs. Reductions in force will be done equitably, in good faith, and in a systematic manner. The institution may establish a committee to advise the president/designee on the need for program reduction or termination and the possible remedies therefore.

202. CRITERIA. In making any staff reduction recommendation, the institution must utilize as the first

criterion the preservation of the quality and effectiveness of its programs. Those employees who, in the sole and absolute discretion of the institution president, are determined to be of key importance to the specific program will be retained in preference to other employees, regardless of their status. Programs, for the purposes of this subsection, include, but are not limited to, professional-technical, academic, non-instructional, maintenance, administrative, and other support areas. Other criteria that must be considered include, but are not limited to, tenure, rank, time in rank, length of service, field of specialization, maintenance of necessary programs or services, maintenance of affirmative action programs, and quality of service and work.

203 - 299 (reserved)

300. NOTICE TO EMPLOYEES. Any layoff may be of severe economic and personal loss to the employee. Therefore, within five (5) working days of SBPTE program reduction approval, the institution must give notice in writing to employees who are affected by a program reduction or termination.

301. FORM OF NOTICE. The notice must include the effective date of layoff; a statement of the reasons for the action to eliminate or reduce the size of the program; the basis, the procedures, and the criteria used to layoff an employee; any opportunity for appeal of the initial recommendation and access to appropriate documentation; and the reinstatement rights of the employee.

302. TIME OF NOTICE. The institution will make every effort to give as much notice as practical to each affected employee in advance of the effective date of the layoff. The SBPTE requires the following minimum written notice of layoff:

01. Classified Employees. To employees subject to the Idaho Classified Personnel System (ICPS) who shall be subject to the requirements of the ICPS, but in no case not less than sixty (60) calendar days before the effective date of layoff.
02. Exempt Employees. To exempt employees serving under a contract of employment for a fixed term, not less than sixty (60) calendar days before the effective date of layoff.
03. Faculty Members. To faculty members occupying faculty positions, a notice of the effective date of the layoff being not less than sixty (60) calendar days prior to the end of the semester in which the reduction or termination is declared.
04. If notice is not given within the timelines of Rule 300 or Rule 302, then such effective date shall be no sooner than sixty (60) after the actual notice is given.

303. RELOCATION. At the time it is preparing and implementing a program reduction or termination the institution shall, to the extent practicable, make a good faith effort to relocate any employee to be laid off in a suitable vacant position within the institution for which that employee is fully qualified. Except when required by the rules of the Idaho Personnel Commission (IPC) applicable to employees subject to the ICPS, an employee to be laid off has no right to bump another employee from a position to maintain employment. This good faith effort to relocate an employee need not extend beyond the effective date of the layoff, but the employee does have the layoff roster rights provided herein.

304 - 399 (reserved)

400. APPEAL RIGHTS OF CLASSIFIED EMPLOYEES. The decision of the institution's president is final and not appealable to the SBPTE.

401. APPEAL RIGHTS OF NON-CLASSIFIED EMPLOYEES. A reduction in force of employees

serving under a contract of employment for a fixed term will be accomplished by non-renewal of the contract of employment rather than by layoff during the term of employment. Non-renewal is not appealable within the institution nor is it appealable to the SBPTE. If an institution determines that the reduction in force requires that an employee serving under a contract of employment for a fixed term be laid off during the term of employment, that employee is entitled to use the institution's appeal procedures.

01. The employee must notify the president/designee of the institution in writing, within fifteen (15) days of the receipt of the notice of layoff, of his/her intent to use the institution's appeal procedure.
02. The decision of the president following the appeal procedure is final and not appealable to the SBPTE.
03. Use of the internal appeal procedure does not delay the effective date of layoff.

402. STANDARD OF REVIEW. The sole basis on which to contest a layoff of employees subject to the ICPS is compliance with the rules of the Idaho Personnel Commission, where applicable, and compliance with the rules and the program for reduction in force approved by the SBPTE. The sole basis to contest a layoff of faculty members and non-faculty/non-classified employees serving under a contract of employment for a fixed term is compliance with the SBPTE rules and the program for reduction in force approved by the SBPTE.

403. LAYOFF ROSTER FOR CLASSIFIED EMPLOYEES. When laying off employees subject to the ICPS, the institution must prepare and distribute a listing of retention point scores of employees and classes to be affected by the layoff as required by the rules of the Idaho Personnel Commission. A classified employee reinstated from a layoff roster will be paid at a pay grade and step consistent with the rules of the IPC in effect at the time of reinstatement.

404. BENEFITS. An employee who is laid off may continue to contribute toward and receive the benefits of any state health insurance program if, and to the extent, that the laws, rules, regulations, policies, and procedures governing the administration of such insurance program so permit.

405. ACCRUED LEAVE. An employee who has been laid off and who accepts reemployment must be credited with any sick leave which the employee had accrued as of the date of layoff, and with any annual leave which the employee had accrued as of the date of layoff and for which the employee has not received payment.

406. REINSTATEMENT RIGHTS FOR TENURED FACULTY. In cases of layoff of tenured faculty members occupying faculty positions, the position concerned may not be filled by replacement within a period of three (3) years from the effective date of the layoff unless the tenured faculty member has been offered a return to employment in that position and has not accepted the offer within thirty (30) calendar days after the offer was extended.

01. If an offer of reinstatement is not accepted, the tenured faculty member's name may be deleted from the reinstatement list, and, if so deleted, the Institution and the SBPTE have no further obligation to the faculty member.
02. A tenured faculty member who is laid off may continue to contribute toward and receive benefits of any state health insurance program if, and to the extent that, the laws, rules, regulations, policies, and procedures governing the administration of such insurance program so permit.
03. A tenured member of the faculty who has been laid off and who accepts reemployment at the institution will resume tenure and the rank held at the time of layoff, be credited with any sick leave accrued as of the date of layoff, be paid a salary commensurate with the rank and length of previous

service, and be credited with any annual leave which the employee has accrued as of the date of layoff and for which the employee has not received payment.

407. REINSTATEMENT RIGHTS FOR NON-TENURED FACULTY AND NON-CLASSIFIED EMPLOYEES.

In cases of layoff of non-tenured faculty members occupying faculty positions, and non-classified employees, the position concerned may not be filled by replacement within a period of one (1) year from the effective date of the layoff unless the employee has been offered a return to employment in that position and the employee has not accepted the offer within thirty (30) calendar days after the offer was extended.

01. If an offer of reinstatement is not accepted, the employee's name may be deleted from the reinstatement list and, if so deleted, the institution and the SBPTE have no further obligation to the employee.
02. A non-tenured faculty member, or a non-classified employee who is laid off may continue to contribute toward and receive the benefits of any state health insurance program if, and to the extent that, the laws, rules, regulations, policies, and procedures governing the administration of such insurance program so permit.
03. A non-tenured member of the faculty who has been laid off and who accepts reemployment at the institution will resume the rank (if applicable) held at the time of layoff, be credited with any sick leave accrued as of the date of layoff, be paid a salary commensurate with the rank and length of previous service, and will be credited with any annual leave which the employee had accrued as of the date of layoff and for which the employee has not received payment.
04. A non-classified employee who has been laid off and who accepts reemployment at the Institution will be credited with any sick leave the employee had accrued as of the date of layoff, paid a salary commensurate with the length of previous service, and credited with any annual leave which the employee had accrued as of the date of layoff and for which the employee has not received payment.

408 - 999 (reserved)

IDAPA 55 DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION
TITLE 01
CHAPTER 03 - PERKINS TITLE III SECONDARY FUNDING FORMULA WAIVER

000. LEGAL AUTHORITY. The State Board of Education is designated as the State Board for Professional-Technical Education and is responsible to execute the laws of the state of Idaho relative to vocational education, administer state and federal funds, and through the administrator of the State Division of Professional-Technical Education, coordinate all efforts in professional-technical education (Idaho Code 33-2202 through 33-2212).

001. TITLE AND SCOPE. These rules serve the administration of Professional-Technical Education in Idaho and define the duties of the State Division of Professional-Technical Education.

002. WRITTEN INTERPRETATIONS. Written interpretations of these rules, if any, are on file at the office of the State Division of Professional-Technical Education.

003. ADMINISTRATIVE APPEALS. All appeals under these rules shall be conducted pursuant to the procedures set forth by the State Board of Professional-Technical Education.

004. DEFINITIONS.

01. Perkins III – Carl Perkins Act Federal Legislation of 1998.

005. - 099. (Reserved)

100. STATEMENT OF PURPOSE. The secondary funding formula will distribute seventy percent (70%) of the Perkins Title III funds based on the amount of funds received by the school district under Section 1124 of the Elementary and Secondary Education Act of 1965 (20 U.S. C. 2701, et seq.) as compared to the total amount of such funds in the state; and thirty percent (30%) of the funds based on the school district population aged fifteen to nineteen (15-19), inclusive, compared to the total state population aged fifteen to nineteen (15-19), inclusive.

101 - 999 (reserved)

Subject:

Idaho State Plan for Vocational-Technical Education

BACKGROUND:

The Carl D. Perkins Vocational and Applied Technology Amendments of 1998 (Perkins III) were signed into law on October 31, 1998. Perkins III sets out a new vision of vocational-technical education for the 21st century and promotes the development of integrated, seamless education and workforce development systems. The purpose of Perkins III is to develop more fully the academic, vocational and technical skills of secondary and postsecondary students enrolled in vocational-technical education. Perkins III is divided into three titles: Title I, Vocational and Technical Assistance to States; Title II, Tech Prep; Title III, General Provisions.

DISCUSSION:

The Idaho State Five-Year Plan was developed by the Division of Vocational Education in consultation with the Office of Governor Kempthorne, State Board of Education 70% Committee, Department of Education, Division of Vocational Rehabilitation, Department of Labor, Department of Commerce, and the Workforce Development Council. The Division also consulted with the technical colleges, school districts, teachers, parents, students, interested community members, representatives of special populations, representatives of business and industry, and representatives of labor organizations in the state.

Public input for the state plan was collected via the distance learning system on January 22. The State Plan was overviewed on February 17 for the 70% Committee and presented to the Workforce Development Council on March 8. The Division of Vocational Education conducted public hearings in the six planning regions of the state. The public hearings were conducted March 15 over the distance learning system. An Executive Summary of the State Plan is attached. The full plan can be viewed on the Internet at

<http://www.sde.state.id.us/vte/index.htm>

RECOMMENDATIONS:

The staff recommendation is to accept the Idaho State Plan for Vocational-Technical Education.

COMMITTEE ACTION:

To agree by consensus to approve/disapprove the Idaho State Plan for Vocational-Technical Education as presented.

BOARD ACTION:

It was moved by _____, seconded by _____, and carried to approve/disapprove the Idaho State Plan for Vocational-Technical Education.

EXECUTIVE SUMMARY

**IDAHO STATE PLAN
FOR
VOCATIONAL-TECHNICAL EDUCATION**

**Carl D. Perkins Vocational and Applied
Technology Education Amendments of 1998
P.L. 105-332**

April 1999

INTRODUCTION

The Carl D. Perkins Vocational and Applied Technology Amendments of 1998 (Perkins III) were signed into law on October 31, 1998 and represent over four years of work on the part of Congress. Perkins III sets out a new vision of vocational-technical education for the 21st century and promotes the development of integrated, seamless education and workforce development systems.

Perkins III is divided into three titles:

Title I	Vocational and Technical Assistance to States
Title II	Tech Prep
Title III	General Provisions

State Five-Year Plan

The Idaho State Five-Year Plan was developed in consultation with the Office of Governor Kempthorne, State Board of Education 70% Committee, Department of Education, Division of Vocational Rehabilitation, Department of Labor, Department of Commerce and the Workforce Development Council. The Division also consulted with the technical colleges, school districts, teachers, parents, students, interested community members, representatives of special populations, representatives of business and industry, and representatives of labor organizations in the State.

Highlights

Perkins III promotes innovation and continuous improvement in vocational-technical education to ensure students acquire the skills and knowledge they need to meet industry recognized skill standards and challenging state academic standards. The central goals of Perkins III are improving student achievement and preparing students for postsecondary education, further learning and careers.

Quality

Perkins III Title I funds are targeted to vocational-technical education programs that:

- integrate vocational-technical education and academic education
- promote vocational-technical education and academic standards
- address all aspects of an industry
- address the needs of special populations
- involve parents and employers
- link secondary and postsecondary vocational-technical education
- develop, improve and expand technology
- provide professional development

Significant Changes

Perkins III provides increased flexibility at the state and local levels. A number of Federal administrative requirements and restrictions have been eliminated to give states, school districts and technical colleges greater flexibility to design services and activities to meet their needs.

Flexibility

Perkins III eliminated the requirements for special population census, assessment and site/program prioritization during the planning process. Local plans have been streamlined. School districts must qualify for a minimum of \$15,000 of Title I formula funds in order to participate in federal funds. Postsecondary institutions must qualify for a minimum of \$50,000. School districts that do not meet the minimum level may join regional or local consortia.

Title II Tech Prep

Under Perkins III, Tech Prep has moved from a planning and demonstration program to an ongoing effort with emphasis on program expansion and improvement. Tech Prep programs can now start at the 9th and 10th grades and articulate into four-year baccalaureate degree programs. The use of technology, distance learning and work-based learning will enhance program expansion efforts. Expanded inservice opportunities for teachers and counselors will improve Tech Prep by enabling them to keep up with the changing needs of business and industry and in the use of technology.

Increased Accountability

To promote continuous improvement, Perkins III creates a state accountability system based on four “core indicators of performance” which vocational-technical education students must meet. The four core indicators of performance are:

- Student attainment of challenging State established academic, and vocational and technical, skill proficiencies.
- Student attainment of a secondary school diploma or its recognized equivalent, a proficiency credential in conjunction with a secondary school diploma, or a postsecondary degree or credential.
- Placement in, retention in, and completion of, postsecondary education or advanced training, placement in military service, or placement or retention in employment.
- Student participation in and completion of vocational and technical education that lead to nontraditional training and employment

Perkins III requires states to develop a single set of performance measures and state adjusted levels of performance for the four core measures of performance. The performance measures and levels of performance are for all vocational-technical education students, including Tech Prep students and members of special populations.

Perkins III also includes state sanctions and incentives:

- Sanctions

If a state fails to meet its adjusted levels of performance for two years, the Secretary of Education has the authority under Perkins III to withhold all or part of the state's allotment.

- Incentives

The Workforce Investment Act contains a provision that allows states to apply for incentive funds if the performance levels under Perkins III, Workforce Investment System, and the Adult Education and Family Literacy Acts are exceeded. Incentive funds range from \$750,000 to \$3,000,000 and can be used to fund activities under any one of the Acts.

Title I Formula Fund Distribution

Specific set-asides for target populations have been eliminated under Perkins III. Funds are now directed to the local level, with school districts and technical colleges targeting funds based on local needs. Funds are distributed as follows:

- 85% for Basic Programs
 - % 65% - Secondary
 - % 35% - Postsecondary
- 10% for State Leadership
 - % \$60,000 - nontraditional training and employment
 - % 1% - corrections
- 5% for State Administration

The fund distribution represents a 10% increase in the amount of funds targeted to secondary and postsecondary programs. State leadership funds have increased by 1.5% from 8.5% to 10%, but must include set-asides for nontraditional training and employment (no less than \$60,000 or more than \$150,000) and corrections (no more than 1% of Title I funds).

Title II Tech Prep Fund Distribution

Under Perkins II, Tech Prep consortia received a base grant of \$60,000. Funds were also allocated on a competitive basis for implementation grants. The fund distribution has been changed to include:

- \$70,000 base grant for each Tech Prep consortium
- Competitive grants based on the following criteria:
 - * Quality of Tech Prep Program [20 points]
 - * Effectiveness of Requested Funds [65 points]
 - * Budget Narrative [15 points]
 - * Anticipated Number of Students Served [5 points]
 - * Additional Special Consideration [up to 20 points]

State Level Decisions**# Title I Split between Secondary and Postsecondary**

Under the Carl D. Perkins Vocational and Applied Technology Education Act of 1990, the split between secondary and postsecondary was 70% secondary and 30% postsecondary. In addition to funds distributed under Title II/C Basic Programs, the technical college system received funds reserved for single parents/displaced homemakers/single pregnant women (7.26%).

During the period of FY95-FY98, the vocational-technical education system in Idaho served 416,433 (52,593 VFTE) students. Secondary VFTE enrollment accounted for 65% (34,110) while the technical college system VFTE enrollment accounted for 35% (18,483).

Based on the percentage of VFTE served at secondary and postsecondary levels, the funding split has been changed to 65% secondary and 35% postsecondary. This split results in a 7.5% increase at the secondary level and an overall 1.0% increase at the postsecondary level (based on the amount received under Carl D. Perkins Vocational and Applied Technology Education Act of 1990 from basic programs and the SPDH set-aside).

State Goals

The Division of Vocational Education assessed the ability of the vocational-technical education system to respond to the needs of students and identified five state goals. These goals are also in line with the Strategic Plan goals of the State Board of Education and the Division of Vocational Education.

The following goals will direct the use of state leadership dollars.

- Improve the quality and quantity of vocational-technical education opportunities for youth and adults.
- Develop, improve or expand the use of technology in vocational-technical education.
- Strengthen integration of vocational-technical and academic education.
- Assure that highly qualified professionals exist throughout vocational-technical education.
- Strengthen workforce development including coordinating and collaborating effectively with other agencies and entities.

Performance Measures

The Division of Vocational Education established two state-wide committees for the purpose of developing performance measures for the four core indicators of performance. The committees included representatives of the institutions and organizations who are affected by the new performance measures. The state performance measures developed by the committees are:

% Postsecondary Measures

- | | |
|-------------|---|
| Measure 1a: | The average numerical score for three-semester vocational students on the Test for Academic Proficiency (TAP) Test will increase each year |
| Measure 1b: | The percentage of students who achieve a GPA of 2.0 or higher in related instruction/general education courses across all vocational education certificate and A.A.S. Degree programs will increase each year. |
| Measure 2: | The percentage of vocational-technical program participants who demonstrate mastery of the knowledge, skills, and competencies required at the A.A.S. Degree and certificate levels within a period equal to 1.5 times the normal program length will increase each year. |
| Measure 3: | The percentage of full-time students who graduate with a vocational certificate or A.A.S. Degree within a period equal to 1.5 times the normal program length will increase each year. |
| Measure 4: | The percentage of program completers who enter employment in occupations nontraditional to their gender will increase in under-represented occupational fields. |

%	Secondary Measures
Measure 1a:	The percentage of program completers who achieve a positive placement/transition in postsecondary education or advanced training, military service and employment will be 90% or greater.
Measure 1b:	The percentage of vocational program completers who demonstrate mastery of the competencies in capstone courses will increase each year.
Measure 2:	The percentage of students completing three or more semesters of a vocational program sequence who graduate with a high school diploma will increase each year.
Measure 3:	The percentage of program completers who achieve a positive placement/transition in postsecondary education or advanced training, military service and employment will be 90% or greater.
Measure 4:	The percentage of students who enter training programs for occupations that are nontraditional to their gender will increase in underrepresented occupational fields.

Cooperative Service Agencies**Subject:**

Approval of local requests to create Cooperative Service Agencies (on file at the Division of Vocational Education)

- * Eastern Idaho Vocational Cooperative Service Agency
- * Gateway Cooperative School Service Agency

BACKGROUND:

House Bill 510 allows for the creation of professional-technical schools at the secondary level for the purpose of providing high level technical training programs. The law requires such schools to be located at separate sites from other schools, but it allows the organization of a cooperative service agency to meet the intent of the law for a separate site (House Appropriations Bill 838).

A Cooperative Service Agency may be established by the State Board of Education under Idaho Code 33-315, 33-316, 33-317, and 33-318.

DISCUSSION:

Some of the school districts that are implementing professional-technical school activities are choosing to do so as cooperative service agencies instead of creating schools at separate physical sites. The State Board of Education has authority to approve new requests that create cooperative service agencies. By-laws have been prepared by the cooperating districts, and they are hereby submitted for the action of the Board.

RECOMMENDATIONS:

The staff recommendation is to approve the Cooperative Service Agency requests.

COMMITTEE ACTION:

To agree by consensus to approve/disapprove each of the Cooperative Service Agency requests.

BOARD ACTION:

It was moved by _____, seconded by _____, and carried to approve/disapprove the following Cooperative Service Agency requests:

- * Eastern Idaho Vocational Cooperative Service Agency (**Approved/disapproved**)
- * Gateway Cooperative School Service Agency (**Approved/disapproved**)

The Gateway Cooperative Agreement (Item #5) and the Eastern Idaho Vocational Cooperative Service Agreement (Item #6) are on file with and can be obtained from the Division of Vocational Education.